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4 UNITED STATES DISTRICT COURT  
5 DISTRICT OF NEVADA

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7 CHARLES N. BELSSNER,

Case No. 2:15-cv-00672-APG-PAL

8 Plaintiff,

9 v.

**ORDER**

10 STATE OF NEVADA, et al.,

11 Defendants.

12 This matter is before the Court on Plaintiff Charles N. Belssner's election not to file an  
13 amended complaint. This matter is referred to the undersigned pursuant to 28 U.S.C.  
14 § 636(b)(1)(A) and LR IB 1-3 and 1-9 of the Local Rules of Practice.

15 Mr. Belssner is proceeding in this action *pro se* and *in forma pauperis* ("IFP"). He  
16 commenced this action on March 24, 2015, by filing a complaint and request to proceed IFP in  
17 the United States District Court for the Central District of California. The court denied  
18 Belssner's IFP request without prejudice and transferred the case to the District of Nevada. *See*  
19 Order (Dkt. #5). Belssner subsequently filed an IFP Application (Dkt. #9-1) in this Court.

20 The Court issued an order granting Mr. Belssner permission to proceed IFP and screening  
21 the complaint pursuant to 28 U.S.C. § 1915(e). *See* Order (Dkt. #14). The Court found that  
22 Belssner's Complaint (Dkt. #15) stated a claim under Title II of the ADA, 42 U.S.C. § 12132,  
23 against Defendant State of Nevada. The Court dismissed the remainder of his claims with leave  
24 to amend. Mr. Belssner was allowed 30 days, or until April 7, 2016, to file an amended  
25 complaint if he believed he could cure the deficiencies noted in the Court's Order. The Order  
26 stated that the Court would either screen his amended complaint or direct service of the original  
27 Complaint after the April 7, 2016 deadline had expired. Mr. Belssner has not filed an amended  
28 complaint or requested an extension of time in which to do so.


1 Accordingly,

2 **IT IS ORDERED:**

- 3 1. The Clerk of the Court shall issue summons to Defendant State of Nevada.
- 4 2. Plaintiff Charles N. Belssner is advised to carefully review Rule 4 of the Federal
- 5 Rules of Civil Procedure in order to properly serve Defendant. Pursuant to Rule
- 6 4(m), Plaintiff must complete service within 90 days from the date this order, on or
- 7 before **July 19, 2016**.
- 8 3. From this point forward, Mr. Belssner shall serve upon Defendant, or, if appearance
- 9 has been entered by counsel, upon the attorney(s), a copy of every pleading motion or
- 10 other document submitted for consideration by the court. Belssner shall include with
- 11 the original papers submitted for filing a certificate stating the date that a true and
- 12 correct copy of the document was mailed to the Defendant or counsel for the
- 13 Defendant. The court may disregard any paper received by a district judge or
- 14 magistrate judge that has not been filed with the Clerk of the Court, and any paper
- 15 received by a district judge, magistrate judge, or the Clerk that fails to include a
- 16 certificate of service.

17 Dated this 20th day of April, 2016.

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PEGGY A. LEEN  
20 UNITED STATES MAGISTRATE JUDGE

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